IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Arbitration Application No.263 of 2005

M/s Krishak Seva Sahakari
Samitee Ltd Applicants.

Vs

M/s Hindustan Domestic Oil & Gas
Co Bombay Limited ..Respondents

Mr Amey Tamhane for the Applicants.
None for respondents

CORAM: H.S. BEDI, C.J. ,

DATE: November 17, 2006.

P.C.:-

This application has been filed for appointment of an arbitrator in terms of clause 32 of the agreement Exhibit A. The claim of the applicants is that the dispute having arisen, in accordance with the agreement between the parties the respondent be directed to appoint the Managing Director or some other officer of the company who may be nominated by the Managing Director as the sole arbitrator and though a notice dated 4th October, 2005 Exhibit H had been served on them on 6th October, 2005, (as would be clear from Exhibit H1) but no arbitrator had been appointed till date. The applicants have also served notice of this application on the respondents

by way of a private notice and an affidavit of service has also been filed. By consent of the parties Justice A.B.Palkar, retired Judge of this court is requested to act as an arbitrator. Parties are directed to inform the learned arbitrator accordingly.

This application is accordingly disposed of.

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CHIEF JUSTICE